

1 NEWARK & NEWARK LAW FIRM  
RICHARD C. NEWARK, ESQ.  
2 Nevada Bar #002763  
NARRAH F. NEWARK, ESQ.  
3 Nevada Bar #008201  
201 Las Vegas Blvd, S., #350  
4 Las Vegas, NV 89101  
(702) 888-2525  
5 Fax: (702) 888-2526  
E-mail: BK@nnbklaw.com  
6 Attorneys for Debtor(s)

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8 **UNITED STATES BANKRUPTCY COURT**  
9 **DISTRICT OF NEVADA**

10 In re: ) Chapter 13  
11 **PAUL GEORGE** ) Case No. 08-14945-mkn  
12 )  
13 Debtor(s). ) DATE: 9/30/09  
TIME: 1:30 p.m.

14 **OPPOSITION TO MOTION FOR RELIEF FROM AUTOMATIC STAY**

15 COMES NOW, the Debtor, PAUL GEORGE, by and through his attorneys,  
16 NEWARK & NEWARK LAW FIRM, and respectfully requests this Court to deny the  
17 MOTION FOR RELIEF FROM THE AUTOMATIC STAY filed by AMERICA'S SERVICING  
18 COMPANY, by and through its attorneys, GREGORY L. WILDE, of WILDE &  
19 ASSOCIATES and TIFFANY & BOSCO.

20 **POINTS AND AUTHORITIES**

21 11 USC Section 362 (d) (1) states that the Court may terminate, modify or condition  
22 stay

23 "for cause, including the lack of adequate protection of an  
24 interest in property of such party in interest;---

25 11 USC Section 362 (d) (2) the Court may terminate, modify or condition a stay

26 "with respect to a stay of an act against property under  
subsection (a) of this section, if-

27 (A) the debtor does not have an equity in such  
28 property AND

(B) such property is not necessary to an effective reorganization

### STATEMENT OF FACTS

Debtor's property has liens of approximately \$195,128.99 for the property located at 6144 Camino De Rosa Dr., Las Vegas, NV 89108, and the home is necessary for an effective reorganization. Debtor believes that he may minimal equity in the property.

11 USC Section 362 (d) (1) may apply as:

1. Debtor acknowledges that if he is late on the post petition mortgage payments, he will need some time to acquire the necessary funds to cure all post-petition arrearages.

2. Debtor's intention is to stay current on future post-petition mortgage payments.

THEREFORE, Debtor requests that the motion filed be denied under 11 USC Section (d) (1) or (2), and that any action on creditor's behalf be stayed for an adequate amount of time to allow Debtor to become current on the post petition mortgage arrearages, if necessary, and/or to Stipulate to an Order Re Adequate Protection.

Respectfully submitted:

NEWARK & NEWARK

By: /s/ NARRAH F. NEWARK  
NARRAH F. NEWARK, ESQ.  
NB#008201  
Attorney for Debtor(s)

**CERTIFICATE OF MAILING OF OPPOSITION TO MOTION  
FOR RELIEF FROM AUTOMATIC STAY**

I hereby certify that on September 14, 2009, I faxed and mailed a true and correct copy by facsimile, ECF and/or by first class mail, postage prepaid, to the below named the OPPOSITION TO MOTION FOR RELIEF FROM AUTOMATIC STAY:

ASC  
c/o Greg Wilde, Esq.  
Wilde & Associates  
208 S. Jones  
Las Vegas, NV 89107  
**VIA FACSIMILE & ECF**

Kathleen Leavitt, Trustee  
201 Las Vegas Blvd, S., #350  
Las Vegas, NV 89101  
**VIA ECF**

Paul George  
6613 Grand Stand  
Las Vegas, NV 89131

/s/ Betsy L. Smith  
An employee of NEWARK & NEWARK LAW FIRM

EXHIBIT